

**REMARKS**

The above-identified application is United States application serial number 10/612,361 filed on July 2, 2003. Claims 1-24 are pending in the application. Claims 1-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Christie US Patent No. 5,881,960, (hereafter "Christie"). Applicant respectfully traverses this rejection.

Independent Claim 1 sets forth "a tape cartridge, wherein the probe retracts at least partially into the spindle when the cartridge does not include an opening, and the probe protrudes through an opening in the cartridge as the cartridge is inserted in the tape drive when the cartridge includes the opening." In contrast, the hub (128) in Christie is solid and the centering spindle exerts pressure against a concavity in the hub once the cartridge is fully inserted in the tape drive. The object of the Christie device is to reduce vibration of the cartridge to obtain better control of the tape position relative to the magnetic head. Toward this end, the cartridge in Christie is held firmly between the top wall and the bottom wall by pushing mechanisms as well as a tape drive cartridge retaining spring. (See Christie, Col. 2, lines 55-60, Col. 3 lines 1-31, and Col. 5 lines 14-31). Allowing the centering spindle to protrude through an opening in the cartridge would defeat the purpose of the Christie device. Claim 1 is thus distinguishable from Christie for at least these reasons.

Independent Claim 11 sets forth "mounting the alignment probe in the tape drive so that the alignment probe protrudes through the opening in the cartridge to align the cartridge hub with a desired position as the cartridge is inserted in the tape drive, and the alignment probe retracts at least partially if the cartridge does not include the opening." Independent Claim 16 sets forth "a spring-loaded alignment probe mounted in the spindle, wherein the alignment probe is configured to protrude through an opening in the hub, and to retract at least partially into the spindle if the hub does not include the opening." Independent Claim 21 sets forth "means for mounting an alignment probe so that the alignment probe protrudes through an opening in the cartridge; and means for retracting the probe if the cartridge does not include the opening."

Claims 11, 16, and 21 are therefore believed to be allowable over Christie for at least the same reasons as Claim 1 presented hereinabove.

Claims 2-10 depend from Claim 1, Claims 12-15 depend from Claim 11, Claims 17-20 depend from Claim 16, and Claims 22-24 depend from Claim 21, respectively, and

include features that further distinguish them from the cited reference.

Allowance of Claims 1-24 is respectfully requested.

**CONCLUSION**

Applicant believes Claims 1-24 are in form for allowance and a notice to that effect is solicited. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 251-0250.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO. Central Number at (703) 472-9306 on the date shown below.	
(Signature)	_____
Mary Jo Bertani (Printed Name of Person Signing Certificate)	_____
February 17, 2005 (Date)	_____

Respectfully submitted,

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